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Attorneys for Defendant Sandy City

IN THE UNITED STATES DISTRICT COURT UTAH
STATE OF UTAH, NORTHERN DIVISION

ALLEN ANDERSEN, an individual;
NXLEVEL NETWORK, LLC, a Utah limited
liability company; JESSICA ZIMMERMAN, an
individual; ROBERT GURNEY, an individual;
AMY HODGSON, an individual; and JOHN
DOES 1-99,

Plaintiffs,

v.

STATE OF UTAH; UTAH DEPARTMENT
OF HEALTH AND HUMAN SERVICES;
JEFFREY S. HARRIS, an individual; GERALD
GANSEY, an individual; DRAPER CITY;
VIVIEN PEARSON, an individual; DAVID
BERNAL, an individual; WEST JORDAN
CITY; BRETT SU'A, an individual;
RIVERDALE CITY; SANDY CITY; and
WEST VALLEY CITY,

Defendants.

DECLARATION OF PAULINE LOPEZ

Civil No. 1:16CV00005

Judge Clark Waddoups

Magistrate Judge Dustin B. Pead

I, Pauline Lopez, declare and state as follows:

1. I am over the age of 21, of a sound mind and capable of making this declaration.
2. I testify to all matters herein from personal knowledge.
3. I am the Police Department Records Manager for Sandy City, a defendant in the above captioned matter. It is a part of my job responsibilities as the Department Records Manager to maintain and review the official files and records of the Department in order to respond to the needs for record management in the Department in the ordinary course of the Department's business.
4. I have reviewed the records the Department maintains that are police reports involving Plaintiff Allen Andersen and his associated business entities.
5. The Department's records as described above contain a police report number GO#SY 2018-5988, a true and correct copy of which is attached hereto as Exhibit A.
8. Exhibit A is an unmodified copy of the business record which was created contemporaneously with the events described and are maintained as a regular practice of the City's Police Department in the ordinary course of the Department's business.

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on this 26 day of April, 2019, in Sandy, Utah.


/s/ 
PAULINE LOPEZ
Sandy City Police Department Records Manager

Exhibit “A”



SANDY POLICE DEPARTMENT
GENERAL OFFENSE HARDCOPY
RELEASE TO SANDY CITY RISK MANAGEMENT

GO# SY 2018-5988 INACTIVE

2399-0 THEFT-OTHER

General Offense Information

Operational status: INACTIVE

Reported on: Feb-05-2018 (Mon.) 2009

Occurred between: Feb-05-2018 (Mon.) 800 and Feb-05-2018 (Mon.) 1900

Approved on: Feb-06-2018 (Tue.) by: SA057 - SWENSEN, C

Report submitted by: SA031 - RADKE, P

Org unit: Patrol B side

Address: 10524 S GOLDEN WILLOW DR

Municipality: SANDY County: Salt Lake County

District: 4 Beat: CRESNT Grid: 4C03C

Value loss: \$600.00

Family violence: No

Offenses (Completed/Attempted)

Offense: # 1 2399-0 THEFT-OTHER - COMPLETED

Location: Residence/Home

Offender suspected of using: Not Applicable

Bias: None (no bias)



SANDY POLICE DEPARTMENT
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Related Event(s)

CP SY2018-5988



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Related Text Page(s)

Document: CASE SUMMARY

Author: SA031 - RADKE, P

Related date/time: Feb-05-2018 (Mon.) 2239

PRADKE B31

02052018

INITIAL CASE NARRATIVE

CLASSIFICATION: Theft

SYNOPSIS: B [REDACTED] C [REDACTED] reported several residents at the home located at 10524 S Golden Willow Dr had items stolen from their bedrooms. 8 other people live in the home and the house manager and two assistants were also on scene during the day time hours. Unknown suspects stolen a guitar, and Xbox and a back pack with work tools. Case inactive.

NARRATIVE: Brian Corolla lives at 10524 S Golden Willow dr.

B [REDACTED] reported he lives in the home with multiple room mates. B [REDACTED] is a recovering addict and the home is a sober living home. The home has a house manager and a property owner who lives at the end of Golden Willow drive.

B [REDACTED] reported he left for work at around 0800 hours on 02-05-2018. He returned home at 1900 hours and he discovered that unknown suspect(s) entered his unlocked bedroom and stole his X box and his guitar.

J [REDACTED] E [REDACTED], one of B [REDACTED]'s roommates, also had items stolen. J [REDACTED] reported his back pack was stolen. His pack contained tools and work clothing for his job.

No other items were reported as stolen.

J [REDACTED] believed that the house manager Allen Anderson was responsible for the thefts. J [REDACTED] reported that they have been living in the home since January 18th and the home has never had heat as the furnace is broken and management hasn't fixed it.

B [REDACTED] also confirmed the heat was off with a broken furnace since Mid January. This appeared to e the truth as the oven door was open and the residents were using the electric stove the heat the interior of the home.

I spoke with Allen Anderson and he stated he was at the home with his son



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this morning to check on the furnace. He reported he was present at between 0900 hours and 1000 hours. Allen denied being involved in the theft. Allen stated he walked from another house on the street to the 10524 S address and then they walked back home. Allen stated no one was carrying anything.

Allen brought up another name. E [REDACTED] L [REDACTED], was a former resident who had been evicted 4-5 days ago. Allen reported E [REDACTED] would likely be a suspect as he has anger issues and was angry about the eviction.

I spoke with E [REDACTED] and he denied being at the home at all. He reported he had received a three day notice and he moved to a hotel in Midvale on Wednesday or Thursday. He stated he was at work all day and could not have been involved in any theft since he hadn't been at the home. E [REDACTED] reported that Allen and his friends are the thieves and they are trying to blame him,

I asked about the other home occupants. A D [REDACTED], J [REDACTED], M [REDACTED], M [REDACTED], and B [REDACTED] also live in the home and no one, including the house manager, knew their last names. They were not present during our conversation.

The involved people are very frustrated with the home and living situation. As we were standing in the living a Constable from Weber county arrived and served 3 day eviction notices on all occupants of the home. As that transpired AP&P arrived on scene looking to find a home occupant who violated their parole.

The residents believe the home managers stole the items. The home managers believe the residents likely stole from each other. With the lack of suspect information and multiple groups and suspect it is impossible to determine a suspect in this case. All parties involved denied any involvement. The eviction notice was served by constable F [REDACTED].

no video evidence exists to help determine the suspect. The occupants have no door locks on their individual rooms to secure their property.

CASE DISPOSITION: inactive.



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Related Attachment(s) - Witness Statement

Attachment Description: COROLLO, BRIAN

Reference Number: 02/05/2018

WITNESS STATEMENT

SANDY CITY POLICE DEPARTMENT

10000 South Centennial Parkway Sandy, Utah 84070 (801) 568-7200

DATE: 2/5/18 TIME OF OCCURRENCE: _____ CASE #: 18-5988
 INCIDENT LOCATION: 10524 South Golden Willow Drive DRIVERS LICENSE #: _____
 NAME: Brian Joshua Corollo DOB: _____ E-MAIL: _____
 ADDRESS: 10524 S. Golden Willow Drive CITY: Sandy ZIP: 84047
 PHONE #1: _____ PHONE #2: _____
 DESCRIBE WHAT YOU SAW: I arrived home from work at around 7:45 p.m. and one of my roommates was very upset, telling me that E. [redacted] (a previous resident, who was recently served an eviction notice by the property manager, and "owner" of the Sober Living Company that runs the houses) was here earlier in the day, and had "ripped us all off." I [redacted] work at the Jiffy Lube on Draper Parkway, and I just worked an 11hr shift, 8:00 a.m. to 7:00 p.m. [redacted] E. [redacted] then led me downstairs and pointed out that the big screen TV owned by Allen Anderson, who is the owner of the Sober Living houses and property manager) and also that my XBOX 360 and all the games were gone. It's a black XBOX with 1 corded controller, and 1 wireless XBOX controller. The XBOX console itself had a gear of war sticker (a big red skull in the middle of a gear) on the top of it. The games taken were gears of war 2, gears of war 3, Borderlands 2, Deus Ex, Crysis 3, Left 4 Dead 2, Halo 4, 2012 Madden, and shadows of mordor. E then went into my room and noticed that my guitar was missing. It was a Washburn Acoustic with a black hard case. The guitar itself is black with white trim around the edges of the body, and it had a strap that

NOTICE: You are notified that statements you are about to make may be presented to a magistrate or judge in lieu of your sworn testimony at a preliminary examination. Pursuant to Utah Code Annotated 76-8-504 / Sandy City Code 7-8-23, and Utah Code Annotated 76-8-508 / Sandy City Code 7-8-25, it is a crime to knowingly provide false information in this written statement.

By my signature below, I certify that this statement is true, accurate, and complete, to the best of my knowledge:

Witness: _____

By my signature below, I certify that I obtained this statement without coercion or duress under circumstances guarantying its reliability.

Agent: [Signature] B31

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**GENERAL OFFENSE HARDCOPY
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Related Attachment(s) - Witness Statement

Attachment Description: EVANS, GERALD

Reference Number: 02/06/2018

NAMES: [REDACTED]

WITNESS STATEMENT

J [REDACTED]

SANDY CITY POLICE DEPARTMENT

10000 South Centennial Parkway Sandy, Utah 84070 (801) 568-7200

DATE: 2-16-18 TIME OF OCCURRENCE: CASE #: 18-5988

INCIDENT LOCATION: 10524 SO. GOLDEN WILLOW DR SANDY UT 84070 DRIVERS LICENSE #:

NAME: ADDRESS: SANDY UT. CITY: ZIP:

PHONE #1: PHONE #2:

DESCRIBE WHAT YOU SAW: AROUND 2:00 PM ON 2-16-18 I WAS LEAVING THE HOUSE AT 10524 GOLDEN WILLOW DR SANDY UT. AS I WAS GOING OUT THE DOOR BRANDON ANDERSON AND I WALKED UP IN HIS DAD ALLEN ANDERSON I WALKED PAST THE SUV AS I WALKED DOWN ROAD I LOOKED BACK AND I SAW BRANDON ANDERSON PREPARING TO GET BACK DOWN OF SUV. I RETURNED 3 HRS LATER AND MY WORK TOOLS & SAFETY EQUIPMENT ALONG WITH BACK PACK WAS MISSING OUT OF MY ROOM. IN BASEMENT FAMILY ROOM THE HOUSES FLAT SCREEN TV GONE ALONG WITH ANOTHER XBOX & GAMES SEVERAL PERSONAL ITEMS MISSING. WENT AND TALKED TO PROPERTY MANAGER HE ALSO SENT ME A TEXT SAYING IT WAS FORMER RESIDENT [REDACTED] AND THAT THE CONSTABLE FROM HIS ATTORNEY OFFICE SAW HIM TALKED TO HIM YET PROPERTY MANAGER FAILED TO CALL POLICE ON THEFT OF HOUSE ITEMS

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By my signature below, I certify that this statement is true, accurate, and complete, to the best of my knowledge:

Witness: [Signature]

By my signature below, I certify that I obtained this statement without coercion or duress under circumstances guarantying its reliability:

Agent: [Signature] 331

WE BELIEVE [REDACTED] DID IT DO IT
 SAYS WE BELIEVE WE TAKE IT

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***** END OF HARDCOPY *****